

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

KENNETH M. GRAY, JR.,)
Plaintiff,)
v.) Civil Action No. 3:22-cv-542-HEH
WESTERN TIDEWATER)
REGIONAL JAIL,)
Defendant.)

MEMORANDUM OPINION
(Dismissing Action Without Prejudice)

By Memorandum Order entered on December 13, 2022, the Court directed Plaintiff to pay an initial partial filing fee of \$0.17 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within thirty (30) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

An appropriate Final Order shall accompany this Memorandum Opinion.



/s/

Henry E. Hudson
Senior United States District Judge

Date: Feb. 6, 2023
Richmond, Virginia